

Message

From: Emmerson, Caroline [Emmerson.Caroline@epa.gov]
Sent: 1/26/2021 7:26:20 PM
To: Badalamente, Mark [Badalamente.Mark@epa.gov]
Subject: FW: LGAC letter on FCA

I meant to add, OW should be the lead and we could provide input.

From: Badalamente, Mark <Badalamente.Mark@epa.gov>
Sent: Tuesday, January 26, 2021 2:12 PM
To: Emmerson, Caroline <Emmerson.Caroline@epa.gov>
Subject: Re: LGAC letter on FCA

Thanks. Are you suggesting we wait to respond until we get further guidance? Do you agree that it should be OECA's to handle, or should it be back in OW?

Sent from my iPhone

On Jan 26, 2021, at 2:09 PM, Emmerson, Caroline <Emmerson.Caroline@epa.gov> wrote:

RE: Congressional Updates

Please see Amir's note to OW below following up on Larry's concerns and noting that completion of the CWA Affordability guidance is now in doubt (noted in the press and could be due to recent Biden EO).

OW responded "In terms of the response to LGAC and to the other groups, I think we should wait for direction. Also, don't be surprised if US conf of Mayors and others send the Biden Admin a new letter asking to keep the FCA.

From: Spraul, Greg <Spraul.Greg@epa.gov>
Sent: Tuesday, January 26, 2021 1:53 PM
To: Ingram, Amir <Ingram.Amir@epa.gov>
Cc: Emmerson, Caroline <Emmerson.Caroline@epa.gov>; Nguyen, Loan <Nguyen.Loan@epa.gov>
Subject: RE: LGAC letter on FCA

Amir,

Yes, it's unclear what the status of the FCA is. I definitely think OW and OECA Senior Leadership need to touch base about the future of the FCA. We were trying to get the attached letter out the door before Jan 20, but we were not able to. It was designed to be signed by OW and OECA. The LGAC, US Conf of Mayors, NaCo and league of cities will continue to press us to stick with the FCA that was finalized under the previous Administration. In terms of the response to LGAC and to the other groups, I think we should wait for direction. Also, don't be surprised if US conf of Mayors and others send the Biden Admin a new letter asking to keep the FCA.

From: Ingram, Amir <Ingram.Amir@epa.gov>
Sent: Tuesday, January 26, 2021 1:12 PM
To: Spraul, Greg <Spraul.Greg@epa.gov>

Cc: Emmerson, Caroline <Emmerson.Caroline@epa.gov>; Nguyen, Loan <Nguyen.Loan@epa.gov>

Subject: Re: LGAC letter on FCA

Greg, unfortunately we've run into firm disagreement over whether OECA should be the signatory. While WED accepted the assignment and worked with their counterparts in your office to create a draft for OECA management, our OECA Immediate Office does not believe that we are the proper custodians and have asked that OCIR reassign it back to OW. OECA would like to have further discussion with OW at the management level on the response before it is issued due to some sensitivities about messaging related to EJ concerns. Our folks are working to get that meeting set up. In addition, we are hearing that the guidance may be in flux all together, is that your sense as well?

On Jan 6, 2021, at 12:48 PM, Spraul, Greg <Spraul.Greg@epa.gov> wrote:

Thanks. I think the Team is trying to finalize it before Jan 20.

From: Emmerson, Caroline <Emmerson.Caroline@epa.gov>

Sent: Wednesday, January 06, 2021 11:42 AM

To: Spraul, Greg <Spraul.Greg@epa.gov>

Cc: Ingram, Amir <Ingram.Amir@epa.gov>; Nguyen, Loan <Nguyen.Loan@epa.gov>

Subject: FW: LGAC letter on FCA

<https://www.epa.gov/newsreleases/epa-proposes-2020-financial-capability-assessment-water-services-disadvantaged>

Hi Greg,

We can let our OCE-Water enforcement folks (Mark Pollins and Joe Theis) know that this letter is coming for response. I just returned from a detail to OLEM and I see that we proposed the FCA guidance last September, is it supposed to go final soon?

Is the attached guidance is now final?

Happy New Year!

Thanks,

Caroline

From: Spraul, Greg <Spraul.Greg@epa.gov>

Sent: Wednesday, January 06, 2021 10:56 AM

To: Emmerson, Caroline <Emmerson.Caroline@epa.gov>; Nguyen, Loan <Nguyen.Loan@epa.gov>

Subject: FW: LGAC letter on FCA

Caroline and Loan,

Happy New Year! I hope you both are doing well.

I don't know if you are the right folks, but I wanted to give you a heads up about this incoming letter and to let you know that I encouraged OCIR to route it to OECA for response.

From: Spraul, Greg
Sent: Wednesday, January 06, 2021 10:54 AM
To: Sylvester, Francis <Sylvester.Francis@epa.gov>
Subject: LGAC letter on FCA

Frank – this will likely be routed to OECA in CMS, but I wanted you to see it. I asked OCIR to route it to OECA. Assuming the Guidance goes final, OECA can speak to the final guidance in our response and I assume they will coordinate with us. I will reach out to my counterpart in OECA to give them a heads up.

From: Carter, Brittany S. <carter.brittanys@epa.gov>
Sent: Wednesday, January 06, 2021 10:04 AM
To: Spraul, Greg <Spraul.Greg@epa.gov>
Subject: FW: Here are the letters again for your convenience

Good morning Greg,

This is a letter of recommendation from LGAC from their full committee meeting. I'll give you a ring soon, just wanted to flag before it comes over to OW officially.

Best regards,

Britt

From: Ludwig, Victoria <Ludwig.Victoria@epa.gov>
Sent: Tuesday, January 5, 2021 11:40 AM
To: Bowles, Jack <Bowles.Jack@epa.gov>
Cc: Carter, Brittany S. <carter.brittanys@epa.gov>
Subject: Here are the letters again for your convenience

I fixed the hyphenated "environmental" that Britt mentioned (community-based letter). I'm happy to make any other edits that you catch. Thanks!

Victoria Ludwig
Acting Designated Federal Officer, [Local Government Advisory Committee](#)
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U.S. Environmental Protection Agency
Washington, DC
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<incoming_intergov_water_affordability_04-20-20.pdf>
<incoming_intergov_affordability_09-18-19.docx>
<draft_response_intergov_integ_planning_affordability_01-15-21.docx>